

- I. In those cases where the complaint is filed initially with DHHS-OCR, DHHS-OCR may proceed to investigate the complaint utilizing its own resources, or it may request the Agency to conduct the investigation. In all cases DHHS-OCR and the Agency will coordinate their efforts to avoid duplication of effort.
 - J. The identity of complainants will be kept confidential except to the extent necessary for the conduct of any investigation, hearing or judicial proceeding. 45 CFR Sec. 80.7 (e)
 - K. No recipient or other person shall engage in acts of intimidation or retaliation against any individual making a complaint, or interfere with any right secured under the Federal Regulations. 45 CFR 80.7 (e)
- IX. Responsibilities of the Agency relating to its Contractors, Subgrantees, or other Vendor-Recipients
- A. The Agency will impose upon its vendor-recipients methods of compliance with Title VI comparable to these Agency Methods of Administration. 45 CFR Sec. 80.5 (a)
 - B. Vendor-recipient will be informed that their compliance with Title VI is a condition of their initial or continued participation in any part of the program in which they may be involved. The above will be accomplished by one of the following methods:
 - 1. Written information will be provided each vendor-recipient regarding the requirements of Title VI, the Regulation, and these Methods of Administration; or
 - 2. In each written authorization of the Agency for the purchase of services a requirement will be included that the services must be rendered without regard to race, color, or national origin.

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- C. The Agency will obtain from each institutional vendor-recipient (e.g., hospital) a written assurance that it will comply with Title VI, unless the Agency has documentation that the institution has executed and filed DHHS Form 441, "Assurance of Compliance," with an appropriate agency. In all contracts or written agreements entered into, a non-discrimination clause will be included. All vouchers or bills submitted to the Agency must include a certificate that the services were rendered without regard to race, color, or national origin.
- D. In accordance with its Annual Enforcement Plan the Agency will review each of its vendor-recipients to determine that the requirements of the Agency are being fulfilled and that practices being utilized conform with Title VI. If any item of discrimination is discovered, the appropriate office of the vendor will be notified in writing of the necessity for taking corrective action. The Agency will take follow-up steps to determine that corrective action eliminated the discrimination.

A complete report of the entire review will be prepared and made a part of Agency files for review by appropriate DHHS officials.

X. Amendments or Modifications to the above

These Methods of Administration may be amended or modified by mutual consent from time to time in the interest of promoting a greater degree of compliance with Title VI, the Regulation, and the Agency's Statement of Compliance.

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POLICY STATEMENT
DEPARTMENT OF HEALTH AND HOSPITALS

The Department of Health and Hospitals (DHH) reaffirms its policy for the Equal Delivery of Services and will administer all programs and conduct its business, either directly or indirectly, or through contractual or other arrangements, in accordance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000 et seq.), Title 45 of the Code of Federal Regulations, Part 80, as amended through July 5, 1973, Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. 70 b), and the Agency's Statements of Compliance.

No person shall, on the ground of race, color, national origin, or handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted in this agency. The Department of Health and Hospitals will take appropriate action to insure that the above will be implemented at all levels of administration.

Overall responsibility for the coordination and implementation of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 has been placed with George E. Clark, Civil Rights Coordinator for DHH and the Director of the Civil Rights Bureau.

Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination covered by Title VI or Section 504 of the Rehabilitation Act of 1973, as amended, may without fear of reprisal or coercion, file a written complaint with Mr. Clark at 546 Main Street, Baton Rouge, Louisiana 70801 or the Dallas Regional Office for Civil Rights, 1200 Main Tower, Dallas, Texas 75202.

David L. Ramsey
David L. Ramsey, Secretary
Department of Health and Hospitals

J. Christopher Pilley
J. Christopher Pilley, Undersecretary
Department of Health and Hospitals

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George E. Clark
George E. Clark, Director
DHH-Civil Rights Bureau

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